

Mr. MOYNIHAN was well respected then. President Nixon later used him as Ambassador to the United Nations and Ambassador to India. When he was running for a seat in the Senate, even though he was a Democrat, I, for one, was rooting for him to win.

I have just finished reading a book called "The Trust," which is the history of New York City. I was interested to find that the editorial board of the New York Times almost unanimously decided that in that primary they were going to endorse Bella Abzug for the Senate seat in New York. Fortunately, the publisher of the New York Times, Punch Sulzberger, came to his senses long enough to dictate a New York Times endorsement of PAT MOYNIHAN, and this body was spared the experience of having Mrs. Abzug as the Senator from New York.

Senator MOYNIHAN and I have disagreed about a number of issues since we have been here. We have debated on many issues and clashed many times, but we have served together in many areas. He was a member of the Senate Y2K committee, a committed, active member who scheduled hearings in his home State of New York. We went there often. I was always impressed and uplifted by the amount of bipartisan support he gave to that effort. He was always well informed and completely without guile or without bitterness.

He now goes on to a career he loves, which is teaching. I have read some of his books and wish I could be one of his students.

This country will hang on to PAT MOYNIHAN as a major resource and a national treasure for the remainder of his life. But we in the Senate have been well served by having him here as our colleague.

One last thing I will say about PAT MOYNIHAN, which is little known but which demonstrates the man, there is a story going around in Washington that says when John F. Kennedy went down Pennsylvania Avenue in his inaugural parade, he saw how shabby the avenue was, and with that vision often attributed to the Kennedy clan, he said we must do something to clean up Pennsylvania Avenue, and the restoration of Pennsylvania Avenue then occurred. Well, in fact, from the scholarly writings of PAT MOYNIHAN, we find that it was not John F. Kennedy at all; it was Arthur Goldberg, who was in that parade and saw that shabbiness of Pennsylvania Avenue, who pointed it out to President Kennedy and, to his credit, the President said, "Yes, let's do something about it." But he probably gave it no more thought than that.

The assignment of seeing that something was done to the Nation's most monumental avenue ultimately fell to a young staffer named PAT MOYNIHAN. It was he who drove the effort to see to

it that Pennsylvania Avenue was cleaned up from the pawnshops and the other shabby architectural edifices that were there to the monumental avenue that it is today. Interestingly enough, it was while he was chairman of the Senate Environment and Public Works Committee, leaning on the public works side of that environment, where he led the effort within the Congress to see to it that the necessary money was appropriated to build the monumental buildings of which we are all so proud.

So we have a lasting architectural legacy to the public career of PAT MOYNIHAN right here in the District of Columbia. I, for one, shall miss him. But I look forward to staying in touch with him as he tells me that he is going to stay in the Washington area and teach. I hope that at some point, when my career in the Senate ends, he is still teaching and I can take one of his classes. It has been a great privilege to serve in the Senate with the senior Senator from New York.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

THE WORK OF CONGRESS

Mr. SPECTER. Mr. President, I have sought recognition to comment on the pending status of the work of the Congress. Yesterday, Senator STEVENS took the floor and outlined the work of the Appropriations Committee, making it plain that nothing could be done on the last bill on appropriations for Labor, Health, Human Services, and Education, until Tuesday because there had to be a reading of the bill and the other procedural matters which had to be attended to, even if the conferees came to agreement on Friday.

Senator STEVENS suggested that there was no point in having the Senate and the House in session on Saturday and Sunday and Monday. Notwithstanding that, and notwithstanding Senator STEVENS' contacts with the President and the President's men, we are here. We are here for absolutely no reason. I chair the subcommittee which has jurisdiction over that appropriations bill and we have been in negotiations with the White House for weeks. We have not been able to come to an agreement because of the intransigence of the White House. They may say it is the intransigence of the Congress. We have a way of saying the other party is intransigent. But there is no doubt that they are at least 50 percent responsible for the fact that we have not been able to come to terms on this bill.

On this bill, the subcommittee that I chair met the President's figure of \$106 billion. It was hard to do. My colleagues in this body and the Republicans in the House didn't like that figure; they thought it was too much money. But the chairman of the House committee and I prevailed to meet the

President's figure so we can come to terms and have an accommodation and get the bill passed. We put \$600 million in that bill—more for education than the President did. And the President asked for \$2.7 billion for school construction and teachers. It was the view of many colleagues that that was not a Federal responsibility, but we gave this figure. We put an addendum on that if the local school boards decided they wanted it for something else, they could use it for something else, so that there would be local control, which is the essence of education in America, contrasted with the Washington, DC, bureaucratic straitjacket.

Notwithstanding that, the White House, his negotiators, wanted every semicolon their own way. So that bill is still languishing in negotiations. But it is certainly not the fault of the Congress.

We are here today and we will be here tomorrow. The Members—535 of us—had thought we would have concluded our business a long time ago. I can tell the American people—if anybody watches C-SPAN II—that the fault is not that of the Congress that we are still here. The President has decided that we will be in session on 1-day continuing resolutions, as his way of trying to make a political point. He is not making a governmental point, he is making a political point. He is making a political point to try to blame the Congress as a "do-nothing" Congress, when that is not the fact. He is trying to blame the Congress for a situation the White House is really responsible for—at least 50 percent responsible.

We have come to a situation where the quality and parity between the Congress and the executive branch has long since evaporated. When the Government was closed down at the end of 1995, that was an enormous shift of power, so that now the Congress is really over a barrel to yield to whatever the President has to say.

Being aware of that, we structured this final bill on Labor, Health, Human Services, and Education to finish it so that it could be presented to the President in September. The Senate acted on it on June 30, which established a record, going back to 1976 for the earlier set of action on this bill. Then we finished the conference report on July 27. It should have been presented to the President in September, and that projection was made so that we would be able to present it to the President and, if he vetoed it, have a national debate; and we thought we would be in a position to make our priorities stand up because the Constitution does give the Congress the responsibility and authority to establish the priorities.

Mr. President, the essential point that I am coming to is that if we were not over a barrel in our relations with the President, we would submit to the President a continuing resolution for 3

or 4 days. But we are not doing that because it would be unseemly. We are not doing that because we don't want to engage in what might be viewed by the American people as a childish food fight.

If we sent him a continuing resolution for 4 days, which would be reasonable under the circumstances, since we can't get anything done until Tuesday, and there was a stalemate and there was a closing of the Federal Government, the American people would say a plague on both of your houses. But the reality is that the Congress is being intimidated by the President and we are, in fact, being humiliated by what the President is doing. There needs to be some semblance of good will and comity between the Congress and the President. It doesn't exist and hasn't existed.

This Senator has gone out of his way to try to work with the White House and try to find accommodations. But when you have this intimidation and what is really humiliation, it lingers. It has to be a factor considered, as we have so many delicate relationships with the executive branch of the Government. Frankly, I would like to see us submit a continuing resolution for 4 days and lay down the gauntlet to the President, if he wants to keep us around here doing nothing. But the parity between the branches has been lost and we are here wasting the time of 535 Members of Congress.

We are wasting the time of the Congressmen, and we are also putting the people of America to a disadvantage because we have responsibilities to our constituents that will not be attended to today, or tomorrow, or Monday, or thereafter. I think it is high time that the Congress stood up and confronted the President because of this situation, which is simply intolerable.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, first of all, I certainly understand the frustration of the Senator from Pennsylvania. He does a good job of chairing that subcommittee. But his facts are wrong.

Here it is 9 days until the election, and we are still in session. We are here because the leadership of the majority has simply refused to move this Congress along like it is supposed to. Since the first of September, we have passed only three or four appropriations bills. We struggled through the month of September, and nothing happened.

Mr. SPECTER. Will the Senator from Nevada yield?

Mr. REID. I yield for a question.

Mr. SPECTER. What facts are wrong?

Mr. REID. I was just laying those facts out.

Mr. SPECTER. Does the Senator from Nevada deny the fact that the President and the White House, or at least the people in question, are re-

sponsible for the failure to come to agreement on the one outstanding appropriations bill?

Mr. REID. We have 13 appropriations bills. This debate cannot relate around one appropriations bill. The Senator from Pennsylvania worked hard on the Labor-HHS appropriations bill. A number of us have worked on it. But the Republicans have left this bill to the last bill so they can attach everything to it that has not been done and that should have been done previously.

Mr. SPECTER. Will the Senator yield for a question?

Mr. REID. No. I will not.

I say to the Chair and to those Members listening that the President doesn't need to take any blame for what is taking place here in Congress. We have a constitutional framework that gives him separate but equal power with the Congress. He is exerting that now. Thank goodness he is able to exert that because what has gone on here, according to pundits and according to what I believe having been here for almost 20 years, is a travesty.

Here we are trying to work our way through Congress 8 days before an election. This should have been completed a long time ago. We have not been able to have debates on issues in this Congress. Why? Because the majority has taken the position they don't want to have to take any difficult votes. As a result of that, we don't take any votes. We don't have debates.

It is interesting to note that we haven't done anything on a Patients' Bill of Rights. We have done nothing on prescription drugs. On education, for the past 2 years in this Congress, we only have spent parts of 6 days dealing with education. The American people say it is the most important issue facing the American people. Members of Congress say it is the most important issue. It seems to me that we could spend more than 6 partial days talking about education.

We need help with school construction. In Las Vegas, we have the sixth largest school district in America. We have to build one new school every month to keep up with growth.

In the small State of Nevada, last year we spent \$112 million just on interest on the money we borrowed to build schools. We need help with school construction and modernization. Schools all over America need help. The average age of schools in America is over 40 years. We also need to reduce class size. Unfortunately, we haven't had a meaningful debate that has allowed us to discuss how important and successful class size reduction is for our schools.

A year and a half ago, following the Columbine massacre, we passed what we felt was minimal gun safety legislation. Nothing has happened since then to move that forward. We have not had a conference. The result is that we still

have pawnshop loopholes where just anyone can go in and buy guns. They can be felons. The same happens not only in pawnshops but at gun shows. We need that legislation cleared for further action. We have been unable to do that.

I say to my friend from Pennsylvania that, again, I appreciate his frustration. I appreciate his hard work.

But the fact is that constitutionally the President has a role, and he is fulfilling that role. I repeat that I am glad he is fulfilling that role.

We have so many things that we need to do in this Congress that we have simply been unable to do.

As a result of our friend, Paul Coverdell, having unexpectedly passed away, the composition of the Senate changed. As such, we felt there should be another vote on the Patients' Bill of Rights. We were denied that.

There are so many things that have been taking place here that has prevented the Senate from operating as the Senate.

My friend from Pennsylvania is frustrated as a result of his dealings with the subcommittee.

I am frustrated as a Member of the Senate that we are not able to talk about issues that I think are important. We have been prevented from being able to talk about those issues.

In America today there are 3,000 children dropping out of school every day. Shouldn't we be allowed to talk about that? The answer has been no. We haven't been able to have a meaningful debate about the serious problem of children dropping out of school.

The fact is the President is concerned about this \$250 billion tax bill. The minority has been shut out of all negotiations. The ranking member of the Finance Committee has not been involved in anything, let alone any other members of the Finance Committee.

We have conferences that are uniquely held with only one party.

There is a lot of frustration to go around.

I want to reassert and reemphasize that the President is doing the right thing. I believe he is doing the right thing, which is supported totally by the minority. He is doing the right thing by having us work every day.

What good does it do? We should have been having 24-hour continuing resolutions 2 weeks ago. If so, we would have already completed our work 2 weeks ago. So, we are doing 24-hour continuing resolutions right now. If, in fact, we had a 4-day continuing resolution, people would fly out of here and back to their parades and campaigning and leave the work that needs to be done here in Congress undone.

I am supportive of what the President is doing. It is good for Congress. It is good for the American people.

Does the Senator from Pennsylvania have any questions of the Senator from Nevada?

Mr. SPECTER. No. I can have some time of my own.

Mr. President, may I inquire of the majority leader if I may have 5 minutes at this time?

The PRESIDING OFFICER. The majority leader.

EXTENSION OF MORNING BUSINESS

Mr. LOTT. Mr. President, I think the way to adjust this is we had hoped we could go ahead and get a vote notwithstanding the receipt of the papers from the House. But that is not going to be possible. I think the way to be fair to everybody is to ask unanimous consent that the period for morning business be extended until 10:30 under the same provisions as earlier agreed to. The Senator would then be able to get time in his own right.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Mr. President, reserving the right to object, will Senators be allowed a few minutes to speak on an unrelated matter?

Mr. LOTT. Mr. President, we would alternate back and forth, and other Senators certainly would be able to speak.

The time limit under the earlier agreement was the time would be equally divided between now and 10:30.

Ms. LANDRIEU. Would that allow enough time? I am not sure how many want to speak.

Mr. LOTT. The only one I know of who seems to be anxious to speak on that side is the Senator from Louisiana.

I ask unanimous consent that after Senator SPECTER speaks that the Senator from Louisiana be recognized.

Mr. REID. Reserving the right to object, how long is the Senator from Pennsylvania going to speak?

Mr. LOTT. Not more than 15 minutes. I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

SENATE BUSINESS

Mr. SPECTER. Mr. President, if I may have the attention of the Senator from Nevada, I listened very carefully to what the Senator from Nevada said and was looking for something which the Senator from Nevada said that factually disputed my representation of what has happened here. I did not hear anything disputed about what I have said.

The facts are, No. 1, that there is one bill outstanding to finish the work of the Senate; that is the appropriations bill on Labor, Health and Human Services, and Education.

All of the other complaints which the Senator from Nevada made—the litany that has been repeated day after day

after day about what is wrong with the Republican Senate—is all prologue.

We are standing here today on a Saturday session—we are going to have a Sunday session and we are going to have a Monday session—and nothing is going to be done because the President wants to gain political advantage.

Mr. REID. Will my friend yield for a question?

Mr. SPECTER. No.

He wants to gain political advantage by trying to make a representation that it is a do-nothing Congress.

I will tell you what he is in effect doing. He is creating a do-nothing Congress on Saturday, Sunday, and Monday because we can't do anything in Washington.

But there is a lot we could do in our States where we have a lot of meetings and a lot of constituent business and a lot of legislative business.

But it is going to be a do-nothing Congress today, tomorrow, and Monday because right now the appropriations bill on Labor, Health and Human Services, and Education has to be read, has to be printed, and has to be completed. So we are not doing anything.

When the Senator from Nevada says that we ought to be working every day, I replied to the Senator from Nevada that he works every day. I have seen him work. He works every day. I would say to the Senator from Nevada and the other 98 Senators that I, too, work every day. So do the other 98 Senators.

But we don't work at the direction of the President. We don't work for the President. We work for the American people. I work for 12 million Pennsylvanians. I don't work for the President.

The Constitution has separation of powers. When the Founding Fathers organized the Constitution, they put Congress in article I. They didn't get around to the executive branch until article II. But today the system is inverted.

Since the Government was closed down in 1995 and our business has gone over into October and sometimes into November, there is no way for the Congress to do anything—at least we think so—but to yield to the President. That is why, as I have said earlier, we structured this bill on Labor, Health and Human Services, and Education so it could be finished and be presented to the President in September.

The mistake we made, quite candidly, was that we were negotiating with the President. We have undertaken in recent years nonconstitutional proceedings. The Constitution says that Congress will present a bill to the President after the Congress decides what the legislation should be, and then the President either signs it or vetoes it. But that has been turned around.

Now we have members of the President's executive branch sitting in our

legislative conferences. We ought not have that. We ought to present our bill and let the President sign it or veto it. This Senator tried mightily to get that bill presented to the President in September. Then if the President wanted to veto it, so be it, that is his constitutional prerogative. But he doesn't have a constitutional prerogative to sit in on the legislative process and the Congress accede to it. We ought to change that.

I think if the American people had seen this bill, they would have preferred the congressional priorities to the President's priorities. The Congress gave the President 90 percent of what he wanted—more than 90 percent. We have a bill which is \$40.2 billion for education. The President's staff objected to \$3.3 million, less than 10 percent of \$40.2 billion. But we had some other priorities we wanted. We wanted special education. We also wanted money for the National Institutes of Health, where they have made enormous strides in conquering Parkinson's disease, Alzheimer's disease, breast cancer, ovarian cancer, heart ailments, and a whole range of medical problems.

We had different priorities. I think if we had presented those priorities to the American people, the American people would have sided with the Congress. So September went by the board. There were negotiations in September. And I make the representation that it was the intransigence of the White House which resulted in those negotiations not moving forward. I make that representation because our priorities were as good as theirs or better.

But having given the President 90 percent, he should have been willing to accommodate to the 10-percent change in our priorities without demanding to control every semicolon in the bill. I think we met him more than halfway when we gave him \$2.7 billion for school construction and for teachers, but we said this ought to be local control if the local district needed something more.

I was interested to hear what the Senator from Nevada had to say about the Las Vegas school system, its expanded school system and its need for schools. I can understand the need in Las Vegas for schools. However, I have a hard time understanding why Las Vegas schools ought to be paid for from Washington by the American taxpayers.

If there is one area in the country which has a tax base to support their local needs, it is Las Vegas. Las Vegas is the gambling capital of the world, and I say that with respect. I have been there. I haven't gambled, but I have been there. They have an enormous tax base. If we are putting up \$1.4 billion for school construction in the big bond issue for American cities such as Las Vegas where they can afford it themselves, I have grave questions as to